

1927
MARTIN (Wm)

THE

SELF VINDICATION

OF

COLONEL WILLIAM MARTIN,

AGAINST CERTAIN CHARGES AND ASPERSIONS MADE AGAINST HIM

BY

GEN. ANDREW JACKSON AND OTHERS,

IN RELATION TO

SUNDRY TRANSACTIONS IN THE CAMPAIGN

AGAINST THE

CREEK INDIANS,

IN THE YEAR 1813.

NASHVILLE:

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1829.

DEPT. OF JUSTICE

WILLIAM MARTIN

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TO THE PUBLIC.

The following article, which appeared in the *National Banner* and *Nashville Whig* in July, 1828, was called forth by a sense of duty, with a view to repel certain aspersions calculated to wound the feelings, to injure the character, and to distress the relatives and friends of a man in the decline of life, who had labored to serve his country faithfully, and to discharge his duties, both public and private, in all the situations in which he had been called to act. It is now published in a more durable form, together with some additional statements and comments, fortified by authentic documents from the most respectable sources.

To the Editor of the National Banner and Nashville Whig.

SIR: Unwilling as I am to appear in the public prints, I am nevertheless under the necessity (in justice to myself) of doing so, in order to put to silence certain slanders which have recently been circulated against me, and must ask the favor of you to publish this in your paper, with the accompanying documents.

In October last, I enclosed to the editors of the *National Intelligencer*, the amount due for my subscription to that paper, accompanied with some remarks of my own, on the subject of the election now pending for President of the United States. These remarks were published in that paper of the thirteenth December last, on the appearance of which, some of General Jackson's friends, with more zeal than regard to truth and justice, reported "that the writer of that letter had wanted to run away from the Creek nation, but General Jackson would not let him," having reference, no doubt, to what is said by the General's biographer respecting a dispute which took place between General Jackson and a brigade of United States' volunteers under his command on a campaign against the Indians in the year eighteen hundred and thirteen, on the subject of their term of service, &c., of which brigade I was a member at the time, and commanded the second regiment. This report has ever since been going the rounds to my prejudice, which, together with frequent allusions by the public prints to that dispute, as well as some things said by General Jackson himself about me individually, as connected with that transaction, has brought me to the determination to lay before the public the

documents or papers referred to above, by which it will fully appear that the charge of mutiny among those troops, was a foul slander.

Pursuant to the acts of Congress under which these men were received and mustered into the service of the United States, their term of service would expire on the tenth day of December, eighteen hundred and thirteen. About three weeks before that time, in conversation with the General on that subject, I told him the men claimed the right of being discharged on that day; that I made the communication in order that he might know the fact as it was, and take his measures accordingly by calling out fresh troops, or in any other way he might think proper. This communication he appeared to receive kindly, and said he was disposed to do, on the occasion, whatever was right. I think this was on or about the sixteenth or seventeenth of November. Every thing continued quiet until about the first of December, when it was understood that the General had said that the men were not entitled to be discharged on the tenth, nor should they be discharged until they had completed one full year's service, regardless of the discharge they had received in April previous; although he had said at Nashville, about the time when his order issued for them again to take the field, that they would be entitled to a discharge on the tenth of December. This declaration of his was circulated among the men, and was the most efficient means of prevailing with them again to turn out, they having thought themselves finally discharged in April as above. The determination of the General (who held their confidence in a high degree) to compel them to stay longer than that time, was so unexpected, and as they thought, so unjust, that it produced among them much uneasiness; on which, I addressed, on the fourth, a letter to the General, which led to the following correspondence:

FORT STROTHER, December 4, 1813.

Maj. Gen. Jackson, Sir: Painful as it may be, and certainly is to me, it nevertheless becomes my duty to disclose to you a disposition which prevails in the regiment I command, and by which I fear you will on the tenth day of this month, lose that portion of your present force. This will be a serious misfortune, as it will go far to frustrate, for the present, the further operations of the campaign, which it is every way important to prosecute with vigor. But it is unavoidable. On that day they will claim their discharge as matter of right. So they contend: and beyond that day they cannot by coercion be kept, as I believe. They further contend that they thought themselves finally discharged on the twentieth of April last, and never understood to the contrary until your order of the — day of September last appeared, ordering them to rendezvous at Fayetteville on the fourth of October, when, for the first time, they were

informed that they owed further service pursuant to their former tender, the discharge which you had given them to the contrary notwithstanding. Thus situated, there was a considerable disinclination to obey that order; on which the officers generally, as I am advised, (and I know myself in particular,) gave it as an unequivocal opinion that their service would terminate on the said tenth day of December. This was done from a conviction of the correctness of the opinion, and further to stimulate the men to turn out, on which they were generally prevailed on to join the army agreeably to your orders. This having been the fact, they have steadily kept their eye on that day as the time of their release, it having completed twelve months from the time when they rendezvoused at Nashville, and were regularly mustered into the service of the United States, pursuant to the proper authority. They therefore look to their general, who holds their confidence, for an honorable discharge on that day; and that he will also see that justice is every way done them. They regret that their peculiar situations require them to leave their general at a time when their services are important to the common cause. Their apology for this step is, that when the order of march was received, they were taken at surprise, not expecting again to be called on; and furthermore, the time allowed for preparation was so short, it being by many not more than one or two days, that many who were poor had not time to make arrangements for their families, or provide themselves clothing necessary for a winter's campaign. Nay, they were assured that they would not be kept in service beyond the said tenth of December; and if they do not get home soon, there are many of them that will be literally ruined. This, sir, is a concise representation of things in this regiment. But should you construe the law otherwise than has been mentioned, it will be placing the officers generally, and myself in particular, in a delicate situation: for all, or nearly so, having conceived that, from the law, they could not be kept in service longer than the day mentioned, and having advanced that opinion repeatedly and publicly before they joined the army, and having had no reason to change that opinion, they have never attempted to conceal it. This has been the case with myself, and all those with whom I have conversed upon the subject say that it was the case with them also. In fact, this was one of our strongest arguments to get them out. It has been insinuated by some, that the general has said that they (the men) should not be discharged before next summer. But this they will not believe, until they receive it from himself, which they believe they never will.

It is with me, sir, to know much of what is passing in this regiment, being always in my place and never asleep on my post. It is needless to hint at the consequences which will (beyond this place) result from a disorderly movement from hence.

From a sense of duty I owe you, sir, myself, and the regiment I have the honor to command, I take the liberty with much deference to make to you this representation. It would be desirable for those

men, who have served with honor, to be honorably discharged; and that they should return to their families and friends without even the semblance of disgrace; and it is even believed that it is with their general, whom they love, to place them in that situation. They say, and with truth, that with him they have suffered, have fought, and have conquered. They feel a pride in having fought under his command. They have viewed him as an affectionate father, while they have honored, revered and obeyed him, but having devoted a considerable portion of their time to the service of their country, by which their domestic concerns are much deranged, they wish to return and attend to their own affairs. Above all things, they wish to part with their general with that cordiality with which they have served together. A different state of things would blunt the agreeable recollection of their former services together, and would be, by them, considered as one of their greatest misfortunes. This is the language, and these are the feelings of those noble hearted soldiers.

I am aware of the difficulties with which you have had, and still have to contend, and for myself, can only say, that my feeble aid has been on your side.

Two advantages may be derived from discharging the men at the time mentioned, viz: The most of them would give up their arms for an equivalent; and furthermore, it is believed that many of the young men will re-engage.

With due respect and high consideration, I am your sincere friend,
WILLIAM MARTIN.

HEAD QUARTERS, FORT STROTHER, Dec. 6, 1813.

Col. Wm. Martin, Sir: I have received, by the hands of Maj. West, your letter of this evening, and having perused it with great attention, I shall give it a deliberate answer.

I know not what disagreeable scenes are to be produced on the tenth instant; but whatever they may be, as I shall have the consciousness that they are not chargeable to any conduct of mine, I trust I shall not be driven, by them, from a performance of my duty.

It will be well, however, for those who claim to be discharged, on that day, from further service, and who are about to hazard their honor and their lives upon the correctness of their pretensions, to examine, beforehand, with great caution and deliberation, the grounds of their claims. Are they founded upon any false assurances given them by me, or upon any deception which I have practised upon them? Was not the act of Congress, under which they are engaged, directed, by my general order, to be read and expounded to them, before they enrolled themselves? That order will testify, and so will the recollection of every general officer in my division. It is not then pretended that those who claim now to be discharged on the tenth, were not legally and *fairly* enrolled under the act of Congress of the sixth of February, eighteen hundred and twelve. Have they performed the service required of them by that act, and which they then solemnly undertook to perform? That act required of them one year's service out of two, to be computed from the time

of their being rendezvoused, unless they should be sooner discharged. Have they performed one year's service? This cannot be seriously pretended. Have they then been discharged? And here it is proper to ask who has the power to discharge them? and surely but one answer will be given—"the President alone, (in the recess of Congress,) through his organ, the Secretary at War." Has the President then, ever exercised this power with which he is thus exclusively invested? He has not; and that organ, through whom, on such occasions, he speaks, has told you that he had not the power to discharge you, and that he believed the President could not exercise it until they had performed that term of service which they had pledged themselves to perform. How then has the opinion obtained currency, that these men have once been discharged? To account for so extraordinary a belief, it may be necessary to take a review of past circumstances.

More than twelve months have elapsed since we were called upon to avenge the injured rights of our country. We obeyed the call. On the tenth of December, a day ever memorable in the annals of patriotism, we rendezvoused at Nashville. In the midst of hardships, which none but those to whom liberty is dear can bear without a murmur, we descended the Mississippi. It was believed our services were wanted in the prosecution of that just war in which our country was engaged, and we were prepared to render them. But though we were disappointed in our expectations, we established for Tennessee a name which will long do her honor. At length we received an order from the Secretary at War, dated, I think, on the sixteenth of March, (I write from memory) dismissing us from service. I say *dismissing* us; but we were not *discharged*. You will recollect the circumstances of wretchedness in which this order was calculated to place us. We were deprived, by it, of every description of public property; no provision was made for the payment of our troops, or for their subsistence on their return march. Contrary to the opinion of many, I hazarded a disobedience of that order, which was so manifestly unjust and contrary to law. I marched my men to Columbia, where it was thought advisable to dismiss (not discharge) your regiment; and surely it cannot be forgotten by any officer or soldier in your regiment, what a sacred pledge they all gave before they were dismissed, or had obtained my "certificate," (which is now so strangely attempted to be construed a discharge) to obey the call of their government, if it should re-summon them into service. But for *that pledge*, that certificate had never been given. Neither can it be forgotten. I dare hope, for what purpose that certificate was given. It was to entitle those brave men who had accompanied me, to certain extra emoluments specified in the seventh section of the act under which they had engaged themselves, and which they were to enjoy if not re called into service, for the balance of the term, by order of government. A copy of that section I send you, and need not therefore be particular upon its contents. Is it true then that my solicitude for the interests of the volunteers is to become the pre-

text under which they would disgrace a name, already rendered illustrious through the land? Is the "certificate" by which I would have secured their emoluments that they would otherwise have been unentitled to, the "*discharge*" under which they are about to become mutineers? Surely, it cannot be. Where then, I would ask again, are the grounds upon which these men claim to be discharged? Have they performed the term of service required of them by the act under which they enrolled themselves? They have not. Have they been discharged by any competent authority? They have not. Have I any power to discharge them, unless authorized by my government or until the arrival of that time at which the *law* discharges them? I have not. Even if I were weak or wicked enough to attempt the exercise of a power which I do not possess, can any one believe that the soldier would be thereby exonerated from the obligation he has voluntarily taken upon himself to his government? Does any one think so lightly of my head or of my heart, as to believe I would attempt it? Indeed he is mistaken. I know my duties, and it shall be seen that I will perform them. If I were to arrogate a power which is not given me by the laws or the constituted authorities, in discharging my men before their term of service is expired, I should become a traitor to the great concern which has been entrusted to my management, and the soldier who had been deceived by a false hope of liberation, would be still liable to redeem the pledge he had made to his government. I should disgrace myself, without benefiting them. It would be the most pleasing act of my life to save from the disgrace which awaits them, if they attempt to carry their present purpose into execution, those brave men who have done so much for their country, and who by that country have been so much honored. The very moment the power is given me of discharging them, I will exercise it. It would pain me exceedingly that any other sentiment should ever be felt towards them by their fellow-citizens, than that of gratitude and approbation; and as I have always endeavored, so I shall continue to endeavor, to secure to them this great blessing. My feelings towards them are indeed those of a father to his children; but a father never deceives his children. Neither have I ever deceived them, nor will I deceive them now. On all occasions I have sought to promote their interest, and even to gratify their wishes when that could with propriety be done. When they had been so strangely dismissed in the country below, "without food and without raiment," I applied to the proper authorities, and obtained a discharge of their arrearages, and a compensation for their return expenses. Believing that they had been improperly treated, I even entreated the government to discharge them from the obligation they had entered into, so anxious was I to gratify their wishes, and secure them the extra emoluments which those are entitled to who have been honorably discharged! You know the answer of the Secretary at War, that neither himself nor the President, as he believed, had then the power to discharge us. I have written to the Governor of Tennessee, even for permission to discharge the

Volunteers; his answer is hourly expected, and the moment it arrives, whatever may be its nature, it shall be publicly announced. If he will even signify to me, (and I have asked his opinion in such a way that he will not be able to refuse it) that I am *authorized* to discharge them, I will obey it as a command. I have even gone further. I have sent on to raise new volunteers, on my own responsibility, to complete the object of the campaign, which has been so happily begun, and, thus far, so fortunately prosecuted. The moment they arrive, (and I am assured that, fired by the name we have acquired, they will hasten in crowds at the first intimation of our needing their services) I will permit them to substitute the places of those who are discontented here, and the latter to retire to their homes with all the honor, which, under such circumstances, they can carry along with them. I, who have always been so jealous of the fame of the volunteers, will not, even in the moment in which they have forgotten themselves, become their traducer. But I still cherish the hope, that the evil has been magnified, and will be dissipated by the exercise of reflection. I cling to the belief, as I would to the last hold on life, that when the hour of trial comes, "the volunteers of Tennessee"—a name ever dear to fame—will not disgrace themselves and a country, which they have honored, by abandoning its standard as mutineers and deserters. But should I be disappointed, and compelled to resign this "last, best hope," one thing I will not resign, *my duty*. Mutiny and desertion *shall* be put down, so long as I retain the power of quelling them; and when *deprived* of this power, I shall, in the last extremity, be still found in the discharge of my duty.

I can only deplore the situation of those officers who undertook to assure their men that their term of service would expire on the tenth instant; but surely this is not understood as sufficient to vacate or affect the contract which those men had previously entered into with their government, or as furnishing any good reason for me to exercise a power which I do not possess. I presume too, they merely expressed their opinion, as men, upon the construction of an act, which, however indiscreet, they had a right to do, without giving any assurance, as officers, which they had no authority to give.

I have said that the moment the volunteers have performed the service required of them by the act of Congress under which they engaged themselves, or it is signified to me by any competent authority, even by the Governor of Tennessee, or General Pinckney, who is now appointed to the command, that they may be sooner discharged, that moment I will pronounce their discharge. I have only the power of *pronouncing* a discharge, not of *giving* it, in any case; a distinction which I could wish all the volunteers would bear in mind. I have even gone further, and said that when the new volunteers arrive (and it will not be long before they do) so as to enable us to prosecute the campaign, those of the present corps, who are disaffected, will be permitted to resign their places to them, and return to their homes, leaving their guns with their quarter master, for which

they will receive ten dollars each. Further than this I cannot go, and further than this I ought not to be expected to go.

I am, very respectfully, your most obedient servant,

ANDREW JACKSON, Major General.

FORT STROTHER, 28th December, 1813.

Maj. Gen. Jackson, Sir: In your letter to me of the sixth instant, you had reference to a certain pledge which the second regiment had given of their future service whenever called on by their government; and but for which, the certificate given by you, entitling them to certain emoluments, would not have been given.

If, sir, you have any written evidence of that pledge, you will oblige me by giving me a copy of it.

Respectfully, I am your obedient humble servant,

WILLIAM MARTIN.

HEAD QUARTERS. FORT STROTHER, Dec. 8, 1813.

Col. Wm. Martin, Sir: I have just received your note of this day, dated, by mistake, the twenty eighth, and hasten to answer it.

I have no *written* evidence of the pledge of the volunteers for future service *with me*. I have only to ask if the officers of that corps have *forgotten*, or are prepared to *deny* that such a pledge was really given?

I hope the phraseology of my letter of the sixth, has not led you to believe I meant to insinuate that the conduct of the volunteers, in the expedition to the lower country, had not been such as to entitle them to any honorable expressions which their general could have used, had he been authorized to grant them a "*discharge*" at all. I hope too, when I say "but for their pledge that certificate had not been given," I am not understood to signify that the one was exchanged for the other, in the way of barter. My meaning was, that notwithstanding the high sense I had of the patriotism and services of the volunteers, and notwithstanding the strong wish I felt to insure them all the advantages and emoluments, to which a certificate of honorable service and dismissal might entitle them in the event of their not being again called into service for the balance of their term, yet I did not think it prudent, or even feel myself at liberty to grant them, at that time, *such* a certificate as was then granted, until they had given such a pledge as they then gave.

I am, respectfully, your obedient servant,

ANDREW JACKSON, Major General.

HEAD QUARTERS, FORT STROTHER, 8th Dec. 1813.

Maj. Gen. Andrew Jackson, Sir: Your letter of the sixth instant was handed me yesterday by Maj. Potter; the contents of which resolve themselves into but few points, to which I beg leave to make such remarks as may occur. In doing this, I wish it to be understood, that I consider this a case different from ordinary concerns of an army. It has been a maxim with me, and ought to be with every

soldier, to obey, without hesitation, the commands of his superior officers. But on a question which involves the legal and constitutional rights of the soldier, he then has a right to speak in his own defence.

The main question at issue between the General and his regiment is, whether by the acts of Congress of February and July, eighteen hundred and twelve, this regiment is entitled to an honorable discharge, with all the emoluments provided for by law, on the tenth December, eighteen hundred and thirteen, or whether it is not. You say it is not. And as it is my misfortune to be of a different opinion, it becomes my duty to assign my reasons for that opinion, and to contend for a principle which involves much interest, and which I think correct. I wish again to call your attention to the act of Congress of the sixth of February, eighteen hundred and twelve, which I have not access to, but which I am confident I recollect substantially. That act, after prescribing the mode of tender, acceptance, &c. provides "that if they (the volunteers) should be called into actual service, they shall be bound to continue in service twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged." It is admitted by all that these volunteers were called into actual service, and rendezvoused on the tenth of December, eighteen hundred and twelve. It follows then, as a necessary consequence, that unless sooner discharged, the term of service for which they engaged will expire on the tenth December, eighteen hundred and thirteen. Much stress has been laid on the word *discharge*, and who has the power to give or order such discharge. You say, the President alone, in the recess of Congress, through the Secretary of War. Be it so. Here it may be necessary to take a review of some transactions which took place after the rendezvous at Nashville; that after descending the Mississippi, you received an order from the Secretary at War, directing you, on the receipt of that order, (for certain reasons) to dismiss the detachment then under your command from further service. I feel confident that the words *further service* were mentioned. But for good and sufficient causes, you did not literally obey that order, but marched the men to Columbia, into that section of country from which they were taken. For this, you received the plaudits of your country. And then you gave, or ordered each man a formal discharge, in the following words, to wit: "I certify that A B enrolled himself as a volunteer under the acts of Congress of February sixth, eighteen hundred and twelve, and July sixth, eighteen hundred and twelve, and that he has served as such, under my command, on a tour to the Natchez country, from the tenth of December, eighteen hundred and twelve, to the twentieth April, eighteen hundred and thirteen, and is hereby discharged."

(Signed,)

ANDREW JACKSON, *Major Gen.*

I say formal, because the discharge was not only so in point of words, but that the men were previously, in due form, as I conceived, mustered out of service; and that this was, by the whole detachment,

at that time, considered a complete and final discharge. Even yourself, sir, I did then believe thought it so. That if any scruples on that head had existed, your own declarations on that day were sufficient to remove them, which were to some of the officers (as I am advised) that the discharges were complete; and by which, as they understood you, the men could not again be called into service. From all of which I say, the officers and soldiers had a right to suppose themselves absolved from the obligation which they had laid themselves under by their tender of service. Hence, they returned to their homes under that impression, either selling or carrying their arms with them, without any injunctions not to part with them. But it seems from your letter that you understood it to have been dismissed, (not discharged,) which is the expression in the instrument. The sentence in your letter is, "I marched my men to Columbia, when it was thought advisable to dismiss (not discharge) your regiment; and surely it cannot be forgotten by any officer or soldier of that regiment, what a sacred pledge they all gave before they were dismissed, or had obtained my certificate (which is now so strangely attempted to be construed a discharge) to obey the call of their government if it should re-summon them into service. But for that pledge that certificate had never been given."

Now, sir, the expression is discharge, (not dismiss) as will appear on the face of the instrument itself. That this should have been forgotten, is to me matter of surprise; and I am still more surprised that I should have so completely forgotten the solemn pledge made by the regiment which you speak of, and on which your certificate (as you term it,) but which I call a discharge, was given. However, there is one thing I well remember, to wit: That after the men were mustered out of service, and the column were marched into Columbia, they were formed and fired the parting salute, and then formed into a solid column, when your farewell order was read. The officers were then told, I think by Maj. Carroll, to display the column, and the officers commanding companies to apply to him for the discharges of their respective companies, deliver them to the men and disperse. On which the first regiment did display, and marched off. Col. Benton then called the attention of the second regiment, and read an answer to your farewell address, expressive of the high sense they, the officers and soldiers, felt of your merits, their respect for your person, and their confidence in you as their leader, &c. This was unanimously agreed to, and this is the only pledge that I know any thing about: and I believe that every officer in the regiment is prepared to say that it was the only one given, and *this*, after all the arrangements for discharging were made, and which pledge I *did* believe you knew nothing of until it was over. Nay! some of the officers say, that at the time it was made, they had the discharges for their men in their pockets. How then, this could be the consideration on which the discharges or certificates were given, is to me a mystery. So much for the discharge in question. I now beg leave to state some of the reasons which gave rise to a different opinion,

to wit: that they owed further service, and that that service would be completed on the tenth of December, eighteen hundred and thirteen. It may, and I presume will, on calling your recollection to the subject, be remembered, that when the committee met in Nashville in September last, for the purpose of taking into consideration the then state of things, a sub committee was appointed to wait on you, to obtain your opinion on some particular points. In the course of conversation, a campaign against the Creeks was spoken of, and the volunteers under your command were named as a desirable force; on which the question arose on the legality of calling them again into service, they having thought themselves discharged; on which you stated the opinion of the Secretary at War on that subject, and produced his answer to your inquiry (through Mr. Campbell) touching that point, to wit: that neither he nor the President, as he believed, had the power to discharge them until the time for which they had engaged expired; they then would be entitled to a stand of arms and all the emoluments provided for by law. It was then observed by a member of the committee, that if we were not discharged, we were as matter of course still in service. You replied, certainly. And it was then observed by the same member, that if in service we must be in pay. Your reply was, to be sure, or words tantamount to that, and you further added, that you would hold on the secretary for the pay during the whole time. I do not rest this on my own recollection only, but it is supported by the recollection of some officers of high rank and character now in the army. This opinion coming from our general, (and whose opinions were with us all but orthodoxy) it was disseminated among the volunteers with great industry, and could lead to no other conclusion than that the term of service would expire on the said tenth of December, eighteen hundred and thirteen. This conclusion was enforced (after giving up the idea of having been discharged) from a review of the law of the sixth February, eighteen hundred and twelve, and also by referring to the muster rolls made out at Nashville, which emphatically state in separate columns, the time when enlisted, say tenth December, eighteen hundred and twelve; the time engaged or enlisted for, say until the tenth December, eighteen hundred and thirteen. This appears of record in several company books now in camp, and was used as an argument to get the men out, to prove to them that they could not be kept in service longer than the tenth of December. Now, if all this was not sufficient to authorize the officers to give their assurances to their men without compromising their honor or betraying a deplorable weakness, I know not what would, especially at a time when this description of force was considered important to secure success in the contemplated campaign. But on the other hand, if they have, from any unauthorized assurances, betrayed the men into a false belief, by which they are brought into a perilous situation, their case is deplorable indeed, and certainly ought to render them unworthy of their future confidence. But they do conscientiously believe they were every way authorized to make these assu-

rances, without which the men would not have been got out; that in any event they are blameless. However, let this business terminate as it may, I trust I shall never have cause to surrender that high respect I have always entertained for your person, your character as a gentleman, and your great military abilities. And in this correspondence if any expression has escaped me, not every way respectful, I assure you it is not intended.

I am, very respectfully, your obedient servant,

WILLIAM MARTIN.

During this time all my exertions were used to quiet the discontents inseparable from such a state of things. Although I did believe them (as I thought all did) entitled to be discharged on the tenth, yet I urged that if it was withheld they should not go off in a disobedient way while I could prevent it. Those exertions were supported by most of the officers, so that it appeared after a few days, they were disposed to wave their claim for the present, and await the arrival of fresh troops, which the General said would soon be there. Thus were those discontents for the present quieted, and so continued until the night of the ninth, when we were aroused by the General's famous order for the brigade to be paraded. About the usual time of lying down, General Hall came to my quarters, under the appearance of considerable excitement, told me that General Jackson had ordered the brigade to parade in front of the fort, to be disarmed by the militia: for me to parade my regiment forthwith. This I did without delay, and the disagreeable scene then exhibited is truly set forth in the statement of facts below, signed by General Hall and others. While the General was abusing us for mutiny, &c. he was told that the men were not in a state of mutiny, and asked for his author; he replied, Gen. Hall. This Gen. Hall promptly denied. Notwithstanding this, the General's biographer has had the unblushing effrontery to say, that "on the evening of the ninth, General Hall hastened to the tent of General Jackson, with information that his whole brigade was in a state of mutiny, and making preparations to move forcibly off." This is as false as what he says about the brigade, when attempting to go off previous to the tenth, being driven back to their tents by the militia, as nothing of the kind, either directly or indirectly, during the whole time these men were in service, ever took place. Waving this controversy between the General and those volunteers, they continued to do their duty, and behaved with their usual subordination and decorum, for which they were at all times remarkable. Not the first appearance of mutiny ever came to my knowledge, and it would have been impossible for any thing of the kind to have taken place without it, I being always in the midst of them.

except when on command. What gave rise to the tragedy on the night of the ninth, I never knew, but I always thought that some misrepresentation had been made to the General at that time, as had all along been, respecting the disorderly disposition of those men. It is hardly supposable, that if they had been in a state of mutiny, as charged, they would, with such promptitude, have obeyed the order to parade for the purpose of being disarmed, *deep in an enemy's country*. Let any reasonable man think of this, and ask himself, if this alone is not sufficient to refute the charge. A few days, however, after the tenth, the General ordered the brigade to be marched to Nashville, though not before the arrival of a large reinforcement of more than a thousand men, under General Cocke. On the march, an order was received from the Governor for the men to be dismissed until further orders, which have not yet come. Soon after this, some of the Nashville papers made some strictures on the conduct of the volunteers, on which General Hall, and such field officers of the brigade as lived in this part of the country, united in the following statement of *facts*, which was published in the Nashville Whig and Carthage Gazette, and never, to my knowledge, contradicted.

On the tenth December, eighteen hundred and twelve, the volunteers in pursuance of orders from General Jackson, rendezvoused at Nashville, and were mustered into the service of the United States by Robert Hays, muster master or inspector of the division, under whose direction and inspection muster rolls were made out designating the date of enrollment or enlistment, tenth December, eighteen hundred and twelve, with the date at which their term of service would expire, tenth December, eighteen hundred and thirteen. Copies of these rolls were furnished the inspector and paymaster, and recorded in the company books of each captain. The acts of Congress of February sixth, eighteen hundred and twelve, authorizing the president to accept of fifty thousand volunteers (of which these constituted a part) after prescribing the mode of tender, acceptance, &c. provides, that if they shall be called into actual service, they shall be bound to continue in service twelve months from the time they shall have arrived at the place of rendezvous, unless sooner discharged. From the provision in that law, it was believed by the whole detachment, that they could not be kept in service beyond the time limited by the muster rolls, the only written evidence of their engagement with government. Under these impressions the volunteers descended the Mississippi and arrived at Washington, at which place they were stationed until about the fifteenth of March, eighteen hundred and thirteen, when the General communicated to them an order, said by him to have been just then received from the war department, of which the following is (in substance) a copy:

“WAR DEPARTMENT, 15th January, 1813.

The purposes for embodying and marching to New-Orleans the

troops under your command, having ceased to exist, you will, on the receipt of this letter, dismiss them from public service, and take measures for delivering over every article of public property in your possession to Maj. Gen. Wilkinson.

JOHN ARMSTRONG."

The General, for certain reasons, did not literally obey this order, but marched the detachment back to that section of country from which they had been taken, and after having them regularly mustered out of service, gave to each non-commissioned officer and private, a certificate in the following words:

"I certify that A B enrolled himself as a volunteer under the acts of Congress of February sixth, and July sixth, eighteen hundred and twelve, and has served as such under my command, on a tour to the Natchez country, from the tenth December, eighteen hundred and twelve, until the twentieth April, eighteen hundred and thirteen, and is hereby discharged.

ANDREW JACKSON, Maj. Gen."

Thus the volunteers thought themselves absolved from the obligation they had come under by their tender. This opinion was supported by the fact, that the arms which they had received from government as a reward for their patriotism, they were permitted to carry with them, without any injunction not to part from them; and if further evidence had been necessary to satisfy them of the validity of that certificate, as a complete discharge, the General's declarations on that day were conclusive, to wit: "The discharge was good and complete."

In this belief, the men returned to their respective homes, not expecting again to be called on in virtue of their former tender. In September, a campaign against the Creek Indians was determined on, and the volunteers ordered again to take the field. Whether this order originated in Nashville or Washington City, is a question worthy of consideration. In this they were told they owed further service pursuant to their former tender. They were also told, that the Secretary at War had informed General Jackson that they were not discharged, because the power of discharging was not vested in him, nor had, as he believes, the president that power, until the term of service expired. Notwithstanding all this, there was a disinclination to obey the order of the General, not only on account of the sacrifice of personal consideration, but because they had been once discharged, and an attempt to bring them into service again under their former tender, was an abuse of their rights. A circumstance however, which had taken place before the issuance of this order, had the greatest influence in bringing the volunteers to the belief that they owed further service. When a committee, composed of volunteer officers and others, met at

Nashville in September last, for the purpose of devising the most speedy and effectual means of affording aid to the settlers on Mobile and Tombigbee, a sub-committee was appointed to wait on General Jackson, (then confined in his bed in town) for the purpose of obtaining his opinion on some particular points, touching their deliberations. In the course of the conversation, a campaign against the Creek Indians was spoken of as the most effectual way of defending those settlements, and at the same time the United States' volunteers were named as a desirable force, on which a question arose on the legality of calling them out, having been discharged from public service by the proper authority. The General replied to this, that the Secretary at War had settled that question, and produced a letter purporting to have been received from Mr. Campbell, in Congress, stating the Secretary at War had said, the volunteers were not discharged, and that neither he nor the president had the power of discharging. To this the General added, that if they had not been discharged, they were still in service and entitled to pay for the whole time. This opinion of the General was circulated with great industry by all the officers, several of whom were present and prevailed on the men to relinquish the idea of having been legally discharged, and to adopt that of their being bound for further service. This latter opinion was the more readily adopted, when it was recollected that the acts under which they had engaged, placed them under the same rules and regulations which governed regular troops. The men now began to inquire at what time they would be entitled to a discharge; and from a view of the laws under which they engaged, and the muster rolls, no other conclusion could be drawn, but that they would be entitled to a discharge on the tenth of December, eighteen hundred and thirteen. From these considerations, and with assurances from their officers, that they could not, by any fair construction of the law, be kept longer than that time, the men were generally induced to enter the field. Taken at this surprise and precipitated from their homes with only two or three day's notice, they were badly provided for a long winter campaign. As the tenth of December approached, they began to speak of being discharged on that day, not in secret as men about to mutiny would do, but publicly, as an indubitable right. This was communicated officially to the General, who replied (in substance) that the claim was founded in error, that they had engaged to serve one complete year, and denied ever having discharged them; that that year would not be completed for four or five months to come, and until it was he could not discharge them without express authority from the president, that he had written to the Governor of Tennessee for permission to

discharge them, that if he would even hint at such permission, he would obey it as a command; that so soon as Colonel Carroll arrived with a reinforcement, soon expected, (if the governor should not have authority to discharge) he would permit those who were discontented to return home, and concluded by declaring that if they attempted to leave the camp, it should be at the hazard of their lives. In vain they represented the time and manner of their engagement, their discharge in April last, their unexpected and sudden call to the field, their naked situation, the deranged condition of their domestic affairs, owing to their absence from home during the last campaign, and last of all, they claimed to be discharged as their right. The General was reminded of what he had said on the validity of their discharges at Columbia. To this he replied with extreme intemperance; and the more they urged their claim, the more violence was opposed to it, until the night of the ninth December presented a scene to be remembered only with horror and indignation. The men quietly in their camps, between eight and nine o'clock, P. M., were ordered to form in front of the fort for the purpose of being disarmed by the militia. After being formed they were insultingly charged by the General with mutiny, desertion, and many other opprobrious expressions; and he concluded by saying that the flash of the cannon should be the signal of their destruction. It was denied that the troops were in a state of mutiny; they only asked an indulgence of their rights. At this time the militia were in front of the line, for the purpose of disarming the volunteers, the cannon loaded, manned and stationed, under the immediate direction of the General, so as to rake the line, and other arrangements made to carry on the work of death. After the General had disgorged his rage, he proposed their waiting the arrival of Major Searcy or Colonel Carroll, as before mentioned, this was assented to and the brigade dismissed. On the thirteenth, the General addressed the volunteers in a manner calculated to insult and wound their feelings, and immediately issued an order to General Hall, commanding him to march the brigade to Nashville, and there await the orders of Governor Blount and the President of the United States. On the fourteenth the line of march was taken up, and on the twenty-fifth they arrived at Fayetteville, where by the advice of the Governor they were dismissed until further orders.

During the dispute between the volunteers and the General, *they* behaved with their usual subordination and decorum, having determined not to disperse without an honorable discharge. They contended for this with a respectful firmness, not to be shaken by boisterous threats.

Many of the officers advised the General to use conciliatory

measures. They believed that although the men never would relinquish their right to be discharged, yet by proper management the services of a great part might be continued. This advice was treated as an idle tale, and none but coercive measures resorted to. Under these circumstances the men felt as might be expected. When they were denied, by the arm of military power, the exercise of a right guaranteed by the laws and constitution of the country, and traduced for modestly and respectfully asking the indulgence of that right, they could but feel the indignation to be expected from freemen. They felt mortified at leaving the service under existing circumstances, but a choice of evils only being left them, either to go off in the manner proposed, or passively submit to an unqualified abuse of their best rights, they preferred the former, believing that the example of the latter, when once set, would gain strength with the use, and be difficult to correct.

WM. HALL, Brig. Gen. T. V.

E. BRADLEY, C. C. 1st R. T. V.

S. D. LAUDERDALE, Lt. C. T. V.

WM. MARTIN, Lt. C. 2d R. T. V.

W. L. ALEXANDER, Maj. 1st R. T. V.

H. L. DOUGLASS, Capt. 1st R. T. V.
and Aid-de-camp.

D. HUMPHREYS, Brigade Major.

R. ALEXANDER, Brig. Q. Master.

Gallatin, March 4, 1814.

That the General did, at that time, believe the discharge given the men in April previous, was a complete one, is evident from the certificates of Capt. Renshaw and Lieut. Thompson, hereto annexed. And that he did say, (some twenty days before the tenth of December) that he did believe they were entitled to a discharge on that day, is proved by the certificate of Capt. Caperton, Lieut. Doak, and several others, as set forth below. What reason operated with the General to change his opinion on this subject, I have never known.

CAMP STROTHER, December 8, 1813.

Col. Martin Sir: At your request, I feel myself willing to state the subject of a short conversation that took place at Columbia, on the twentieth of last April. between James Thompson and myself, respecting the discharge then given to the volunteers, at which time General Jackson passed by, and politely inquired into the subject, which Mr. Thompson informed him. The General replied, we need not debate on that, for the act, under which we volunteered, was repealed, and that the discharges we then had were good, or final, was the way the General expressed himself. The above is a true statement. I am yours, &c.

J. RENSHAW.

CAMP STROTHER, December 8, 1815.

Col. Martin, Sir: At your request, I feel myself willing to state the substance of a short conversation that took place at Columbia when we were discharged or dismissed last April. Capt. Renshaw and myself had one of the discharges given, in our possession, and I observed that they were not complete discharges; that they only gave the men a credit for the time they had served. He insisted, I think, that they were complete; about which time the General passed us, and very politely inquired into the subject of our debate. I informed him, at the same time giving my opinion. His answer was, that the act under which we had volunteered was repealed, and that would discharge us; and that we need not be uneasy, they were good discharges. This is the purport of what was said, to the best of my recollection, except the word good, and I do not recollect whether that or the word complete was expressed by the General.

I am, with due respect, yours, &c.

JAMES THOMPSON.

CAMP STROTHER, December 8, 1815.

We, whose names are underwritten, do say, that we heard Gen. Jackson say on the eighteenth of last month, that he thought that it was just that the volunteers should be discharged on the tenth of this instant, and that he had done and would do every thing in his power to effect them.

GEO. CAPERTON, Capt.

JOHN DOAK, Lieut.

SAMUEL BERRY,

A. M'EWEN,

JEREMIAH RAGSDELL,

LANSFORD RUSSELL,

THOMAS DOUGAN,

HENRY RUSSELL,

CHARLES STEVENS,

CHARLES WOODS.

It is evident, from an examination of the work itself, that the General's biographer had strong prepossessions against these men, and has labored, at the expense of truth, to cast on them all the obloquy in his power. Whether this was for the purpose of gratifying the strong and unfriendly feelings he entertained toward some of the principal officers of the brigade, or to increase the splendor of the General's character, I know not; but certain it is, that there has been, in several instances, a shameful perversion of truth in the narrative he has given of this controversy; in some cases withholding important truths, and in others, stating for facts, things that never did exist. Among others, in speaking, page eighty-three, second edition, of a correspondence between the General and myself on the subject of the discharge, he has brought to view a part only of my letter to him of the fourth, and has given the General's of the sixth in reply to mine at full length; but mine of the eighth, in reply to his, has been suppressed altogether, which was important, being intimately connected with the subject of dispute, as it went to explain away the force of the General's strongest argu-

ments in favor of the position he had taken. Historians are morally bound to give the truth, and all the truth of things they undertake to narrate, but the writer in this case has disregarded this rule in several particulars.

The difficulties with which the General had to contend, were many and great; the successful manner in which he overcame them, and the great and important services which he has rendered the country, justly entitle him to a distinguished place in the temple of fame, without exaggeration or false coloring, in a way calculated to entail disgrace on a meritorious set of men, who, though in subordinate situations, were efficient actors in some of the General's splendid achievements, and were the first that gave the impulse to the elevated situation he now occupies.

It is an unpleasant task for one to speak of himself; but on this occasion I find an apology from the peculiarity of my situation, being proscribed and traduced for exercising a right guaranteed to all.

The letter to the editors of the *Intelligencer*, above alluded to, which has given such offence to those sensitive friends of the General, was couched in terms which I thought inoffensive, and in order that the worst parts of it may be known to such as may not have seen the publication, I will here give an extract from it, and which I suppose to be the offensive part, to wit: After commending the editors for the support they had given Mr. Adams, and remarking on his moral and political worth, I observed—

“To defend such a man against the shafts of disappointed ambition, is praiseworthy, it is patriotic. Mr. Adams I have never seen, though I think I know him *well*. With General Jackson I have been intimately acquainted for nearly forty years, and of course ought to know *him*. And when I contrast the grounds of their respective claims for the presidency, I am astonished that any man of intelligence should prefer the latter. From the noise made here, you may have been led to suppose these sentiments in Tennessee, to be rare and singular, but in this, I am far from being alone.”

Now, if an individual cannot express his honest opinion about public men, and public measures, without being thus calumniated, our boasted rights are of less value than we have been led to believe.

So far from encouraging mutiny in the army, I know I should have been among the first to suppress it, had it existed. And that I did at all times, and in all situations, discharge my duty faithfully and promptly, the magnanimity of General Jackson himself will forbid him to deny. And in support of this fact, I might safely appeal to General Hall, Judge Catron, (who was long my messmate,) to Colonel Moore, of Lincoln county, (late a

member of the legislature,) Caperton, of Franklin, M'Ferrin, of Rutherford, Smith, of White, and Capt. M'Ewen, of Williamson, the five last of whom commanded companies in the regiment I then commanded, all of whom were witnesses to my every action, as connected with my duty; and with equal confidence, might I appeal to every other officer of the brigade, as I was well known to them all.

I am aware that the illiberal, who are every where to be found, will attribute to my unfriendliness to the election of General Jackson as president, my making this publication at this time. This will be doing me great injustice, for had I not been assailed and traduced in the most wanton manner, I should not have said a word about it. But every consideration urges me to repel, with such means as I possess, those foul and groundless slanders, attempted to be fixed on me, and entailed on my offspring. In doing this, a review of the transactions upon which the accusation was founded, is so immediately connected with my own defence, that I cannot speak of the one without the other. I should have been extremely glad to have been spared this painful duty, but a choice of evils only was left me, either to submit patiently and quietly to this wanton outrage on my character, or to repel it in the way I have done, and throw the blame where it ought to rest. To a candid public is the foregoing submitted, not to bespeak their sympathy, but to invoke their justice, to an old man, who in defence of a character he has always held dear, has been compelled to make this appeal.

WILLIAM MARTIN.

Dixon's Springs, July 9, 1828.

TO THE PUBLIC.

In the Banner and Whig of the twenty-second of July last, I made a publication, the object of which was to rebut certain slanders propagated against me by General Jackson and others, viz: "That I had excited the spirit of mutiny and desertion among a brigade of United States' volunteers under the command of him, (Gen. Jackson,) on a campaign against the Creek Indians, in the year eighteen hundred and thirteen; and that I had wanted to run away from the Creek nation, but that General Jackson would not let me." In this publication I said little more than the exhibition of well attested facts, going to show that there was no foundation for such a charge against me to rest on: and had supposed that the matter would have rested there. But, contrary to all reasonable expectation, another publication appeared in the Republican of the fifth of August, signed "A Volunteer," ananadverting on *mine*, in a way not warranted by the occasion. The object of the writer seems to have been more to defame my reputation, than to argue the question at issue, and he has called me many hard names, as mutineer, liar, hypocrite, coward, &c. Whoever this Volunteer may be, so well versed in the science of slander, and who has had so little regard to truth or decency, as thus to abuse me from behind a fictitious name, I neither know nor care. It is sufficient for me to know, that what he has said to my prejudice, in that publication, is untrue. He cannot be one of that corps emphatically called the Tennessee old volunteers, and which General Jackson often said was the finest troops in the world: but one of those hirelings, holding himself always ready to serve the highest bidder, and on this occasion he has been employed (if I may judge from the ready access he seems to have had to official documents relating to the subject in dispute) for the purpose of defaming me, and that too by the man who has no *concealment*. If I have, in the facts exhibited in my publication referred to, touched his employer in a tender part, why did he not, with truth and fair argument, if on his side, ward off the blow, instead of filling columns with declamation, sophistry and falsehood, for the obvious purpose of diverting public attention from the consideration of the facts published by me?

From the rude and scandalous manner in which this volunteer had treated my character, it became necessary, in my judgment, to reply in my own defence; and to that end I had nearly completed this publication for the press, when it was arrested at the solicitation of several of the mutual friends of General Jackson

and myself, urging that the time for the purpose was inauspicious, that it would (to be then published) have more the appearance of assailing, at a critical juncture, the character of General Jackson, than of defending my own, and advised that it be deferred until the presidential contest should be over; that they were well assured, from the magnanimity of his character, the General would, on a review of the subject, render me every degree of justice to which I might be entitled: that they would, at a suitable time, bring the subject before him, and that he had himself said, to a gentleman of the first respectability, and a distinguished friend of his own, who spoke to him on the subject, he was altogether willing, and that he would, so soon as he could without his motives being misinterpreted, examine the whole matter, and publicly announce the result. In consideration of the respect I had for the opinions and wishes of my friends, and these assurances of an amicable adjustment of a matter of no small moment to me, I finally agreed to postpone as proposed, the contemplated publication, and of which fact, I gave notice in the *Banner* of the fourth of October. But contrary to the expectations thus raised, and his own promise to that effect, when applied to (after the election) by this same gentleman, to redeem the pledge he had given, tendering at the same time, for his consideration, the documentary evidence herewith published; he declined doing any thing in it, alleging he had not then time, as he was setting out for the City of Washington; but if the papers were sent to him at Washington, after the fourth of March, he would then look at them. This I considered, was adding insult to injury; therefore, I determined to recall the papers, and pursue the course I had previously intended.

In enumerating my reasons for making the publication above referred to, I observed, "and some things said about me individually by General Jackson himself, as connected with this subject." The *Volunteer*, in remarking on this, intimates that I ought to have stated what the General had said, when, where, &c. I will now tell *him*, that in the year eighteen hundred and seventeen, I was a candidate in this county (Smith) for the state legislature, and in the after part of the canvass, the following letter from General Jackson to Thomas Smith of this county, was published and circulated in hand bills.

Copy of a letter from General Andrew Jackson, dated Hermitage, July 25, 1827.

Dear Sir: I have just received your letter of the twenty-fourth instant, and have to answer that the charge or accusation against Colonel William Martin, of heading an Indian force against the whites on the Kentucky road, I know of my own knowledge such

rumours once prevailed, but I never gave credit to them. On the other subject, it was always my belief that the Colonel was one of three officers in my army, in the Creek war, of high grade, who excited the dissatisfaction and mutinous spirit in it, and caused the finest troops in the world to retrograde and desert the service of their country, at a time when their services were most wanted. In justice to those troops, I must observe, I always blamed the officers and not them. They proved my opinion of them was correct, for afterwards, the greatest part of them volunteered their services, joined me and realized my best hopes and those of their country, in the most trying period. Colonel Thomas Williamson, then a Captain in Colonel Martin's regiment, who remained firm at his post, and would not return with the troops when they retrograded, can give full information on the subject how the Colonel acted in this business.

ANDREW JACKSON.

MR. THOMAS SMITH.

Thus did General Jackson descend from his elevated situation to intermeddle in a little county election, forty or fifty miles from where he lived, and to join a faction, which had from local causes, conspired against me; and that too, while commanding the southern division of the American army. How this conduct in the General comports with the character he has assumed, is with himself and his Volunteer to reconcile. It was, however, fulfilling a promise he had made (as I was told) on ~~visiting~~ ^{receiving} my letter of the eighth December, respecting the dispute in question, and which is contained in my publication of July last. That letter was in reply to one from him of the sixth, also published. On the receipt of that letter, which contained truths that stared him full in the face, he became wrathful, and said with his usual vehemence, he would avenge himself on me when we returned home. In this way do I account for his letter to Mr. Smith, it being the first opportunity that offered for redeeming this pledge. On what ground he founded his belief of my guilt he has not said, but certain it is, that had it been such, as to justify him in sending the letter he did here for the purpose of defaming me, it was sufficient to have arrested me on, at that time. The latter (from the belief he said he always entertained) would have been his duty; the former, any thing but *magnanimity*; and that he was not very forbearing, nor delicate, on subjects of the kind, is evident, from his having arrested Colonels Allcorn and Bradley about that time. The former was tried by a court martial and acquitted with honor. The latter, after having been kept some two or three weeks under arrest, was restored to his command without any trial at all. Why then was I allowed to escape with this load of guilt, this enormous crime, one of the highest that could have been committed in an army? How,

with this conviction on his mind, can he answer to his country for not having punished me? On what ground can he justify himself for such a palpable dereliction of duty? Can it be by publishing to the world, three or four years afterwards, through his letter to Mr. Smith, that I was a traitor to my country? Surely he did not reflect at the time when he wrote this letter, how deeply it would implicate his military character, for fidelity and energy, of which there is so much boast. I again ask, why he did not (to use his own favorite expression) take the bull by the horn, as he believed me, as he says he did, to have been a leader in this conspiracy, and bring me before the proper tribunal, when the facts were fresh, and the witnesses all present? But instead of this, notwithstanding his conviction of my guilt, and his boisterous threats, he continued to the last of my remaining there, to treat me with his usual attentions and politeness. The truth is, there was no just cause of complaint against me, and this he well knew, more than that I had the temerity to contend with him (respectfully) in a written correspondence in behalf of a meritorious set of men, who thought themselves injured by him. This, and this alone was my crime, and for which I have been pursued, from then until now, with a spirit of persecution that knows no bounds. That it may be seen, that what passed between the General and myself on this subject was not offensive on my part, I will refer the reader to our correspondence as set forth in my publication as above, and had he permitted his biographer to have inserted my letter to him of the eighth of December, in answer to his of the sixth, which was published at full length, it would have put this question to rest. But that letter was suppressed, and why? Was it because it contained truths that would make him blush to confront? This he may himself answer.

From the manner in which my character has been traduced on this occasion, private as well as public, I thought it a duty I owed to myself, to my family, and my friends, to repel the slander with such means as I had in my power, and for that purpose I have procured the statements of several gentlemen who were witnesses to my conduct, throughout the campaign, particularly as respects the dispute between the General and the troops, touching the term of their service. Some of these statements however, are from gentlemen who were not on the campaign. These I have procured to show that I have some reputation, and am not that contemptible recreant I am represented to be. And that General Jackson has done me great injustice, and himself no credit, in reporting, as he has done, that I excited the spirit of mutiny and desertion among the troops, is abundantly evident from the following testimony, and from which it will appear,

that instead of exciting a disorderly spirit in the army, my conduct was just the reverse, at all times, and under all circumstances.

JUDGE CATRON.

SPARTA, August 21, 1817.

Dear Sir: I received yours of the eleventh instant, in which you say "you have been charged by General Jackson in a publication, as in his belief (together with two other officers) the cause of the difference between himself as Commandant and the old volunteers in the fall of eighteen hundred and thirteen, while in the Creek nation." I will state the facts that occurred so far as they came within my knowledge, and my opinion of your conduct relative to the above difference.

At Huntsville, on our march, I was appointed to do the duties of Serjeant Major in your regiment; with most of the men composing which I became personally acquainted. Before I reached the service, and afterwards, I heard many of the men complaining of the hardship of being *compelled* to serve on that tour, after having been to Natchez and regularly discharged by the government, which discharges they had with them. I know every exertion was used by you to browbeat, and with your authority put down this murmur, assuring the troops that General Jackson would have militia troops, and they be discharged, so soon as their services could be dispensed with, which no body seemed to doubt, during all the month of October, would take place by the tenth of December, or before.

All things continued quiet until the army returned to Fort Strother (I think the twelfth of November) from Taladega, when there were no provisions in camps. We had been for the twenty preceding days extremely straitened for provisions, and for the three days preceding our return to camp, literally without eating, and had done *very* hard service; waded Coosa, a half a mile wide, up to the middle, on an extreme frosty night, with certain expectations of warm fires and plenty to eat being ready for us "*at home*," a mile below the crossing. The consequence of not a ration being in camps, was, threats of marching off to Deposit, where something to eat might be had; and this was by *all* the army; but a little flour coming in, it was prevented, for, I think, three or four days; at which time, the General promised the troops, if no provisions came on, they should march; this accordingly took place, though your regiment, meeting provisions twelve or fourteen miles from camp, the second day, returned. This excitement should be charged to a hungry appetite, and not to the misconduct of any one: and during which, you used all your influence, much to your own prejudice in the estimation of your regiment, to restrain all complaints on the subject; and I know all your authority was exercised (you then being the senior officer in the regiment) to prevent any violent movement among the troops, and particularly in your own regiment. You also made a stump speech to your regiment, insisting with extreme solicitude for the men to volunteer and hold possession of Camp Strother, but having incurred the displeasure of

a greater part of the regiment by opposing their wishes, you got but few. At this time about one hundred men did stay, yourself among the number. This must be the time General Jackson alludes to in his letter to Mr. Smith, when he says "Captain Williamson remained firm at his post," &c., for Colonel Williamson marched his company home when we were dismissed at Fayetteville. When the troops marched off from Fort Strother for want of provisions, they all went to Deposit, except your regiment, the artillery company and some militia. Many of your regiment also got there by furlough, as guards, &c. During this absence, many men I understood were furloughed at Deposit, to recover their health in Madison, get clothes, &c., and about the tenth of December, many deserted; though, perhaps, fewer of your regiment, agreeably to its number, than of the first: these were nearly all men who had gone to Deposit as guards. Sometime between the twentieth and last of November, having resigned the petty appointment I held, left your quarters and gone to the line, I was taken sick with a very violent fever, and was hauled off in a baggage wagon, after your regiment left Fort Strother, for Fayetteville; during which sickness I have no recollection of the particular conduct of any man. I understood, during this time, that that a correspondence was carrying on between you and General Jackson, on the right your regiment had to be discharged on the tenth of December, in which you held the affirmative, but know nothing of the particulars thereof.

For the honor of the small squad of non-commissioned officers and privates that were left of your regiment on the tenth of December, I hope *no man* will charge them with either mutiny or desertion, or even a disposition to do so: for a very great majority of them were young men of substantial cleverness, and honest and proud feelings; and I do know, that at least three-fourths of them had determined to stay five months and twenty days longer: Nor did they know to the reverse of having to do so, until the day they were regularly ordered to march home. Though I never had any concern with this squabble, not being an old volunteer, yet it would be with extreme regret that I should hear those friends of mine, charged with the blackest of crimes, of which they are certainly innocent. They were the most efficient troops to their number I ever saw, or expect to see. With the exception of a few men who only talked, they conducted themselves with temperance and propriety, on the subject of their term of service being expired.

I have ever believed some gross misinformation had been given General Jackson, respecting the part you took in the squabble between him and the volunteer regiments; for I cannot help believing, until the time spoken of above, of my being taken down with a fever, General Jackson had no better friend in the army than yourself; I heard you speak in high terms of him as your friend and acquaintance for many years, as I also was informed he spoke of you in high terms as an officer and man, and this, after he had split with Colonel's Allcorn and Bradley. On the subject of merit, I only know this:

you held, in a high degree, the confidence of the regiment you commanded, throughout the campaign, and which confidence I think you very well merited.

Dont understand me as sanctioning by this scrawl, the electioneering, infirm conduct of some of the officers of the army, on the above occasion for you know I was infinitely disgusted with it.

I don't pretend above, to speak to any facts that transpired after I was taken sick, having no recollection distinctly of any but very notorious circumstances and facts generally known subsequent to that time. Your obedient servant,

JOHN CATRON.

COL. WILLIAM MARTIN.

MAJOR MEWEN AND OTHERS.

FRANKLIN, September 1, 1817.

Dear Colonel: Respecting your conduct during the first campaign against the Creek Indians, we, who were under your immediate command, feel bound by our regard for truth to make an impartial statement, and on this subject, what we certify, hundreds can attest.

Colonel Martin as well as others, who carefully considered the act of Congress under which the corps of volunteers (in which he had a command) was brought into the field, expressed his conviction of their right to claim a discharge on the tenth of December, eighteen hundred and thirteen. Actuated without doubt by this conviction, we do certify that he advocated the rights of the men in an independent and respectful manner, as may be seen by his letters to General Jackson. During this dispute, carried on by letter, he did every thing in his power to quiet the men and prevent any violent movement, which we had reason sometimes to fear: and shortly after returning from Taladega, by his active exertions, his regiment was prevailed on to maintain its position, when part of the army marched. His influence over his regiment, which was considerable, was on this and every other occasion, exercised in promoting subordination to the proper authority. Col. Martin often said, that if the General would only acknowledge the unquestionable rights of the troops, and appeal to their honor and patriotism, they would cheerfully stay. We do further certify, that when the troops did march, it was under an order from General Jackson, without having committed any violence, tumult or mutiny whatever.

Respectfully,

JAMES MEWEN, Maj. 2d R. T. V. Infantry.
CHRISTO E. MEWEN, Lieut. 2d R. T. V. I.
MATTHEW D. COOPER, 1st Lieut.

STATE OF TENNESSEE, RUTHERFORD COUNTY.

Whereas I have been informed that General Jackson and others, have accused Colonel Martin, of the second regiment United States' Volunteers, in the Creek Indian campaign, of exciting his men to mutiny and desertion, and that Colonel Martin wanted to run away

from the Creek nation, but Jackson would not let him. Now, I, John Doak, having served as Lieutenant in Capt. Renshaw's company, having been an eye witness to facts, do certify, that the above statement of James M'Ewen, Christopher M'Ewen and Matthew D. Cooper is wholly true.

JOHN DOAK, 1st Lieut. 2d R. U. S. V.

August 15, 1828.

COLONEL BROWN.

LEBANON, August 20, 1828.

Col. William Martin, Sir: In reply to yours of this date, requesting to know my opinion of your conduct as an officer of the United States' Volunteers in the campaign against the Creek Indians, in the year eighteen hundred and thirteen, I have to state, that immediately after the issuance of the order in the fall of eighteen hundred and thirteen, calling those troops into service, I joined the company commanded by my townsman H. L. Douglass, and met the whole brigade at Fayetteville, the place of general rendezvous, on the fourth October. Shortly after our arrival at that place, I became acquainted, and was in the habit of occasional intercourse with you, and constant intercourse with many officers and soldiers of your regiment, to the end of our service. During this time, I never heard you charged with exciting mutiny, or the utterance of an expression that would lead to a mutinous disposition. On the contrary, it was my own opinion, as well as it was the opinion of all who spoke of you in my hearing, that you were one of the most strict and rigid disciplinarians in the army, prompt to suppress and punish every appearance of insubordination. As to the alleged mutiny on the night of the ninth December, it was utterly false, so far as it related to the regiment to which I belonged, and I believe equally so as to the second; though General Jackson certainly must have believed it on the information of some one. I entered the service as all the new recruits of the company to which I belonged did, with the understanding that those troops would be discharged at the end of twelve months from the time they were first mustered; and so far as I knew, this opinion was universal and uncontradicted until after the battle of Taladega, when the difficulty arose, (of which it is not necessary to speak here.) In evidence of this universality of opinion in the brigade; before the infantry left Fort Strother a general order was read, and all those who were disposed to remain were requested to march three paces in front of the line, and Thomas Williamson was the only person who advanced, that I recollect. I will conclude this reply by stating, that I never heard an officer of any grade, attached to those troops, utter a word which would countenance mutiny or insubordination during the term of their service.

Very respectfully, your friend and servant,

H. H. BROWN.

COLONEL DOUGLASS.

LEBANON, August 20, 1828.

Col. William Martin, Dear Sir: Yours of the nineteenth, and the Nashville Republican of the fifth instant, containing strictures over the signature of "A Volunteer," are before me, and however I may regret the revival of this most unpleasant controversy at this time, I feel myself bound by a sense of duty to afford you any evidence which my knowledge of your public and private character may furnish in vindication of it.

That there should be the least reluctance in any, to speak of facts within their knowledge, or to express opinions founded on an intimate acquaintance of your whole life, which would protect you and your posterity against the infamy which must necessarily follow the charges made against you, is to me, matter of astonishment. It has never been contended by any that I know of, certainly never by you, that these charges were sanctioned by General Jackson, without what he considered sufficient authority, nor ought it to be doubted for a moment that he would derive as much pleasure as any man living from your entire exculpation.

My acquaintance with you commenced with my earliest recollections: from my arrival at the years of manhood up to the present time, my intercourse with you, and those to whom you are best known, has been constant, unreserved and friendly. My own observations in mature years, confirmed the opinions I had been accustomed to hear from my infancy, "that you were as incapable of hypocrisy or deceit, as you were of fear." Nor have I ever before heard you charged with either. If a long life, spent in the strict observance of every moral and religious virtue, and in the performance of every private and public duty, be not sufficient to protect you against such charges, nothing that I could say would.

The charge of exciting mutiny among the troops under your command, whilst in the service of the United States, in the year eighteen hundred and thirteen, is the only one of the many referred to which is entitled to, or requires particular notice.

I entered the service in command of a company at the same time that you did, continued in the field the same time that you did and was as intimate with you as any officer of the army, with the exception perhaps of General Hall, with whom my duties were more intimately connected. During the Creek campaign our quarters were very near each other, and we were, as were also the field and many of the platoon officers of the two regiments, in the daily habits of free and unreserved interchange of opinions upon all subjects connected with the service: and I am certain that the idea of abandoning the service forcibly or mutinously was never intimated by you in my hearing. Nor were you ever charged in my hearing by either officer or soldier, with countenancing such a course. As an officer, you were considered by me, (and I think I hazard nothing in attributing this opinion to nineteen twentieths of the army,) vigilant, brave and patriotic, prompt in the discharge of every duty,

and rigid in enforcing obedience and strict attention to discipline. That you believed the volunteers were entitled to a discharge on the tenth of December, was known to all of them; and all of them, so far as I knew, entertained the same opinion. Its correctness, it is not necessary for me, nor am I disposed, to examine into now.

You request that I would state my recollection of the occurrences of the night of the ninth December. So far as they are connected with the charges against you, I will do so. The order for parading the two regiments was communicated to me by General Hall, some time after dark, and the moment it was received, when paraded in line in front of the fort, General Jackson appeared on the right of the first, said he had just been informed that they were in a state of mutiny, and that he was determined to suppress it. Some one, I cannot say with certainty who, demanded of the General, from whom he received this information: he replied, from your General, pointing to General Hall, by whose side I was then standing. General Hall immediately advanced, and said that he had not informed him that they were in a state of mutiny; that he had only communicated to him their reply to a proposition made through him by General Jackson. This statement has been, and will again (I have no doubt) be confirmed by General Hall.

I see nothing more that requires notice from me in either of the papers before me. Should you be of opinion that any other facts within my knowledge will be of service in your defence, it will give me pleasure to communicate them.

I am, with very high respect and esteem, your friend and serv't,
H. L. DOUGLASS.

MR. JOHN CARR.

GALLATIN, September 8, 1828.

Col. William Martin, Sir: That your private and public character has been most grossly misrepresented, I have long known, and if the testimony of one unknown as I am out of the society in which I have lived for the last forty years, can be of service to you, it will be most cheerfully given. From the time of your arrival in this state, up to the present time, I have known you most intimately, and can say with truth, that I have neither seen nor heard any thing from you, unbecoming an honest man, a patriot and soldier. From our earliest acquaintance up to the year eighteen hundred and thirteen, I knew no man who did, or deserved to stand higher (in my opinion) amongst your acquaintance generally, than you. I entered the service with you in the winter of eighteen hundred and twelve, in the Volunteer Infantry, descended the river to Natchez, and returned with you the following spring. Again, in the fall of eighteen hundred and thirteen, joined those troops on the campaign against the Creeks, and continued with them until they returned home. During the whole service (being one of your old acquaintances in the army, and a lieutenant of your brother's company) I was as intimate with you as any officer in the army, and believe I knew as well your standing in it as any other person.

During the campaign to the lower country, although the better informed soldiers, as well as officers, considered you amongst the best officers in the army, many, perhaps most of the army, thought you too rigid and strict in enforcing obedience to orders, and attention to discipline. When in the country and neighborhood of the enemy, those qualities which were complained of in a camp in the interior, were alike commended by officers and soldiers, and assured to you their confidence in a high degree. I left Fort Strother when the first regiment was ordered back to Deposit for subsistence, and can only speak of occurrences after I left there, from the report of others: but so far as my own knowledge of your feelings, your principles, your conduct enables me to speak, I knew of no individual of the army who stood higher as a brave man, a rigid disciplinarian and firm patriot; nor did I ever hear it insinuated to the contrary at any time or by any person, until since some recent publications in the newspapers.

That you ever did countenance insubordination or excite the spirit of mutiny in the troops under your command, cannot and will not be believed by any one that knows you.

JOHN CARR.

STATE OF TENNESSEE, RUTHERFORD COUNTY.

Whereas I have been informed that General Jackson and others have charged Col. William Martin with exciting the spirit of mutiny and desertion among the corps of the United States' Volunteers, under the command of General Jackson, on a campaign against the Creek Indians, in the year eighteen hundred and thirteen; and Col. Martin requesting me to say what I know relative to that subject, I do certify that I served as a private in Capt. J. Renshaw's company of volunteers, in the second regiment of the above named corps, commanded by Col. Martin: that during our service a dispute arose between the General and those troops, on the subject of their term of service; they, the troops, contending that according to the terms of their engagement, they were entitled to be discharged on the tenth of December of that year, which the General denied. During this dispute, Col. Martin advocated the cause of the men: that during this time he urged, that if the discharges were withheld from them, they must continue until they could leave their stations honorably, and that while he could prevent it, they should go on no other terms. That in no instance did he, to my knowledge or belief, either say, do, or insinuate any thing, directly or indirectly, having a tendency to mutiny or desertion. And I do furthermore assert, that he, Col. Martin, was considered the most active, useful and best officer belonging to said corps, so far as my information extended. And I certify further, that instead of being the cause of exciting mutiny or desertion, his conduct was uniformly the reverse of such a course: being always positive in enforcing subordination and obedience to orders. And if Col. Martin had said or done any thing on the subject above mentioned, as tending to mutiny, I think it could not have escaped my notice;

as I was continually there, except when on duty. And so far as I know or believe, Col. Martin was never absent, except when on duty. His local situation, while in camp, was near the regiment, to which he paid great attention, as well to their rights and wants as to their duty and discipline.

ALEXANDER LOWRANCE.

August 16, 1828.

STATE OF TENNESSEE, RUTHERFORD COUNTY.

Whereas I have been called on by Col. William Martin to state facts relative to a difference which occurred on a campaign against the Creek Indians in the year eighteen hundred and thirteen, between the second regiment of United States' Volunteers and General Jackson, respecting their term of service:

I therefore certify, that I served as second sergeant in Capt. J. Renshaw's company, United States' Volunteers, in the second regiment, commanded by Col. Martin: that I have examined the certificate signed by Alexander Lowrance, dated the sixteenth August as above, and believe it to contain a true statement of facts, all of which come within my own knowledge, I being continually with the regiment except when on duty. And owing to my perpetual intercourse with the men, I am certain, that if Col. Martin had have hinted any thing like mutiny among them, I should have heard something of it, which I never did. And furthermore, on the ninth of December, when the regiment was ordered by the General to be paraded, and charged with being in a state of mutiny, they were so far from it that a considerable part of them were asleep in their camps, it being considerably in the night. They only spoke of their claim to be discharged, and were dissatisfied that this right was withheld from them, but had no intention of going off in a disorderly way. At least, if they or any one individual ever had in contemplation to do so, it never came to my knowledge.

Given under my hand this sixteenth of August, eighteen hundred and twenty-eight.

WILLIAM PACE.

MR. JOHN FARR.

STATE OF TENNESSEE, RUTHERFORD COUNTY.

Be it known to all whom it may concern, that having been informed that Col. William Martin has been charged with exciting the spirit of mutiny and desertion among a brigade of United States' Volunteers, under the command of General Jackson, on a campaign against the Creek Indians in the year eighteen hundred and thirteen, and being requested by Col. Martin to state what I know touching that subject, I do certify, that I served as second sergeant in Capt. James M'Ferrin's company, of the second regiment in the aforesaid brigade, and was with the regiment the whole of the time it was in service, as well on a campaign to the lower country, as that against the Creek Indians. That while we were in the Creek nation, a dis-

pute arose between General Jackson and those men, on the subject of their term of service. That agreeably to their engagements they claimed the right to be discharged on the 10th of December, eighteen hundred and thirteen. This the General refused to grant, and said they owed four or five months longer service. This declaration of the General excited considerable discontent among the men. In this state of things Col. Martin, as I understood, espoused the right of the men in a written correspondence with the General. About this time, and on the night of the ninth December, I think it was, we were ordered to parade near the fort. I was then unwell and did not parade, but was told that the General charged the men with being in a state of mutiny; but so far from this being the fact, a number of the men were asleep in their camps. And further, I neither saw nor heard that night, before nor after, any movement or conversation among the men that had the least appearance of mutiny. That although the next day was the time they claimed to be discharged, they appeared contented to continue until reinforcements should arrive, which the General said would be on in a short time; and he also said, that when the reinforcements arrived, those who were discontented might go home. During this whole affair, Col. Martin conducted himself, so far as came within my knowledge, with propriety. That so far from exciting mutiny, had there have been a disposition among the men that way, his conduct was always such as would have suppressed it, being always prompt in enforcing subordination and obedience. He was never absent to my knowledge except when on command. His situation was near the regiment, to which he paid the utmost attention, and was considered the most attentive and the best officer belonging to the brigade. I am very certain, from my constant intercourse among the men, that had there been any thing by the Colonel hinted like mutiny, I would have heard something of it, which I never did. Col. Martin was considered to be a sharp and vigilant, but a faithful and humane officer.

Given under my hand this seventeenth day of August, eighteen hundred and twenty-eight.

JOHN FARR.

CAPT. GLASSCOCK.

As I have been informed that Col. William Martin has been charged with exciting mutiny and desertion among a brigade of United States' Volunteers under the command of General Jackson, on a campaign against the Creek Indians, in the year eighteen hundred and thirteen, and Col. Martin wishing me to state what I know on that subject, do certify, that I served as a private in Capt. James M'Ferrin's company, in the second regiment, commanded by Col. Martin, of that brigade; that I served a tour to the lower country, and also a campaign against the Creek Indians, and was at Fort Strother at the time when a difference occurred between General Jackson and the volunteers respecting their term of service. They contended that their term of service would expire on the tenth December, eighteen hun-

dred and thirteen, being mustered into service the tenth December, eighteen hundred and twelve. This the General denied, and as was generally understood among the men, intended compelling them to serve four or five months longer. This, consequently, caused dissensions among the men, as they considered their rights were withheld. About this time I was informed that a written correspondence was carried on between the General and the Colonel, the latter of whom advocated the cause of the men. After this, I think on the night of the ninth of December, the General paraded the brigade and charged them with being in a state of mutiny, which was the first intimation I had of any such a disposition. There was, as before stated, dissatisfaction among the men; but nothing like the appearance of mutiny ever came within my knowledge. So far was the conduct of the Colonel from exciting or encouraging any thing like mutiny or desertion, his conduct was always, and on all occasions, such as to have suppressed it. And I do believe, that through his influence, the men were prevailed on to discharge their duties more faithfully, than they would have done for any other officer in the brigade, being always prompt in enforcing subordination and discipline. And it was generally understood, so far as my information extended, that it was through his influence the men were content to stay until a reinforcement should arrive.

Given under my hand this eighteenth August, eighteen hundred and twenty-eight.

MOSES H. GLASSCOCK.

LIEUTENANT M'FERRIN.

STATE OF TENNESSEE, RUTHERFORD COUNTY.

Whereas I have been informed that Col. William Martin has been charged with exciting the spirit of mutiny and desertion among a brigade of United States' Volunteers, under the command of General Jackson, on a campaign against the Creek Indians, in the year eighteen hundred and thirteen, and Col. Martin, having applied to me to state what I know on this subject, and wishing justice done to all men, do certify, that I served as second lieutenant in Capt. James M'Ferrin's company, in the second regiment of that brigade, which regiment was commanded by Col. Martin a part of that campaign. That during that campaign a dispute arose between the General and those men about their term of service, they contending that their time would expire on the tenth of December, eighteen hundred and thirteen, having been mustered into service on the tenth of December, eighteen hundred and twelve, but the General denied this claim. This produced considerable discontent among the men.

So far as I know or believe of Col. Martin, that he was at all times true to his post as an officer and a soldier, and appeared anxious that the campaign should be prosecuted with great effect and vigor. I never knew Col. Martin to express any language before his troops that had the least appearance of mutiny, and I never had any reason to believe of the Colonel myself, of his having any appearance of

mutiny or desertion, and as far as I always saw or knew of him, he discharged his duty as an officer of his rank.

Given under my hand this nineteenth August, eighteen hundred and twenty eight.

B. L. M'FERRIN, 2d Lieut.

MR. WILLIAM M'FERRIN.

STATE OF TENNESSEE, RUTHERFORD COUNTY.

Whereas Col Martin has requested me to say what I know about his conduct, on the subject of the charge against him as mentioned in the certificate of B. L. M'Ferrin, of this date, which certificate I have examined, I do therefore certify, that I served as a private in the company of Capt. M'Ferrin, as mentioned in said certificate, and was a witness to the conduct of Colonel Martin during that whole campaign, and which is truly set forth by the said B. L. M'Ferrin, in his said certificate, and I am certain that had Col. Martin have hinted any thing like mutiny among the men, I should have heard something about it, which I never did, as my intercourse among the men was considerable.

Given under my hand this nineteenth of August, eighteen hundred and twenty-eight.

WILLIAM M'FERRIN.

WILSON CAGE, ESQ.

I hereby certify that I have known Colonel William Martin, of Smith county, Tennessee, for upwards of forty years, have lived a neighbor to him about thirty, except the last four or five; that in the early settlement of this country, when much harassed by, and exposed to the ravaging and blood-thirsty Indians, he commanded a company of men sent here from North Carolina, for the protection of the frontiers of this country, and that as I have been informed and believe, he discharged that perilous trust with the utmost vigilance, promptitude and fidelity, and rendered services to the then infant settlements, of vital importance. That in the years eighteen hundred and three and eighteen hundred and four, he served as a member in the legislature of this state; that in the same year, eighteen hundred and four, he was elected as an elector, to elect the president of the United States, and as I have ever understood, voted for Mr. Jefferson; and in the same capacity in the year eighteen hundred and eight, voted for Mr. Madison for president; that in the year eighteen hundred and seven, he served as one of the commissioners of land claims, and in the years eighteen hundred and twenty and eighteen hundred and twenty two, in a similar appointment; that he served for many years as a justice of the peace in Smith county, and a part of the time, as one of the court of quorum. All of which trusts, I feel no hesitation in saying that I believe I am well assured (having had the whole time an intimate acquaintance with him) Col. Martin discharged with the utmost ability and fidelity. And that in the year eighteen hundred and twelve, I knew no man interest himself half

so much as Col. Martin, to induce men to enlist in the service of the United States, and on all occasions to volunteer in the service of their country; and that his moral and religious character, for the last thirty or thirty-five years, has been unimpeachable.

WILSON CAGE.

August 30, 1828.

MAJ. BLACKMORE.

SUMNER COUNTY, Ten. August 30, 1828.

Col. William Martin: In answer to yours of the twenty-ninth, giving me information of the slanderous and opprobrious epithets applied to you by "A Volunteer," in the Nashville Republican, I proceeded without hesitation or ceremony to say, that forty years ago, or upwards, I became acquainted with you. You were at that time appointed to head a company of men stationed in the neighborhood of Bledsoe's Lick, for the purpose of protecting the infant settlements, then much harassed by and exposed to the murderous tomahawk and scalping knife of the savage Indians; that during two years, the period of your command, we lived together in the same fort; that on several occasions, headed by you, we had skirmishes with the Indians, in all of which you displayed the most cool and heroic courage, and on all occasions, you discharged the duties of that perilous trust, with the utmost vigilance, fidelity and ability, and rendered the settlements services of vital importance. From that period you were for several years absent. After your return to and settlement in the country, you served as a member in the state legislature, in the years eighteen hundred and three and eighteen hundred and four. In the same year, eighteen hundred and four, voted as elector, for Mr. Jefferson for president; in eighteen hundred and eight for Mr. Madison, in the same capacity. In eighteen hundred and seven, you served as one of the commissioners for adjudicating land claims, and in eighteen hundred and twenty, and eighteen hundred and twenty two, you were employed in a similar trust. In all these appointments, I feel no hesitation in declaring that I believe, and am well assured, you discharged your duty, in all respects, with the utmost ability and fidelity; and that during our long and intimate acquaintance, every act of your life, both public and private, so far as I have observed, has evinced the most scrupulous regard to truth, honesty and integrity. I therefore confidently believe you deservedly stand above reproach in any of the relations of life whatever.

GEORGE D. BLACKMORE.

NASHVILLE, June 22, 1829.

Dear Sir: I have received your letter of the eighteenth instant, and conceive it due to you to make a reply according to my recollection of the facts to which you refer.

My acquaintance commenced with you in November, eighteen hundred and twelve, the day on which the field officers of the old volunteers were elected. You were chosen major of the second re-

giment, and in that capacity served during the campaign of eighteen hundred and twelve and thirteen, to the lower country. My situation as brigade inspector, gave me a full opportunity of knowing the manner in which all the field officers discharged their duty, and it is going you no more than an act of deserved justice to say, that throughout the campaign, no one manifested more zeal, ability and industry than yourself. You were particularly attentive to all the duties incident to the police of the camp, and to the suppression of those vices which are but too common among soldiers when not employed on hard service. At the commencement of the Creek war, you again took the field, and in the battle of Taladega, I have pleasure in bearing testimony to the courage with which you discharged your duty during the whole of the engagement. I have never heard your courage doubted, nor do I think that any one who knows you believes that you are in the slightest degree deficient in that essential quality of a soldier. At the time General Jackson marched the army from Fort Strother to meet provisions, which were expected to be on the way from Fort Deposit, you and a few others remained at the former place, and labored with great industry to complete the stockading of the fort.

I must remark, that I have no personal knowledge of the events which transpired at Fort Strother from the fourth of December, eighteen hundred and thirteen, until the departure from that place of the old volunteers, having been sent by General Jackson to Tennessee to bring additional forces into the field.

I will just add, that the duties of the civil stations you have filled in Tennessee (so far as I know, or have ever heard) have been discharged with ability and fidelity."

I am, dear sir, most respectfully, your obed't serv't,

WM. CARROLL.

COL. WM. MARTIN,
Smith County, Tennessee.

From this cloud of witnesses it will be seen where the truth lies, as respects the charge of mutiny among the troops, and of my having partaken largely of it. Hundreds of others, of like character, might be added if necessary. Several gentlemen of distinction, whose names, for the respect I have for them, I forbear to mention, have been applied to, but refuse to respond. Not but what they could speak favorably of me, but because they did not like to displease General Jackson. This conduct in men having just claims to character, and pretensions to high and honorable sentiments, carries with itself its own comment without any from me. They were as much involved in the charge of mutiny as I was, with the difference only, that when the brigade was paraded, on the night of the ninth December, as explained in my former publication, and charged by the General with being in a state of mutiny, I had the hardihood to

tell him, it was not true as respected the regiment I commanded, while they remained mute. And that I did tell him so, and much more as connected with the dispute, is now recollected by General Hall and several others. Yet, the Volunteer has said, that on that night I cowered before the General. This is as false as a great deal more he has said about me; for I have yet to learn how to cower before any man. In collecting the above testimony, I called on those most convenient to me, having the best opportunity of knowing the part I acted; and as the regiment I commanded had been recruited entirely from the southern counties, and the men of that regiment were the best judges of my conduct on the occasion, it may be seen that most of the witnesses are from that quarter; and among the number, several non-commissioned officers and privates. These I have procured, because if there had been tampering by me, they are the men who would have known it.

The General, in his letter to Mr. Smith as above, has been no less sparing of his slander on the whole brigade, than on me, by saying they deserted the service of their country, &c., when it is a fact known to all, that he did on the thirteenth of December, issue his order to General Hall to march the brigade to Nashville, and that under that order, they did march as far as Fayetteville, where, by an order from the Governor, they were dismissed until further orders. Thus, instead of deserting the service of their country, as the General said they had done, they marched under a regular order from him, and during which they continued to maintain that subordination and temperance, for which they were at all times so remarkable. Nor is it true, as the General says in his letter to Mr. Smith, that Capt. Williamson, of my regiment, remained firm at his post, and would not return with the troops, &c.; for he, Capt. Williamson, did return with the troops, and with the rest was dismissed at Fayetteville. These facts are too notorious to require proof, which might be had in abundance. I am now done with the contents of the General's letter to Mr. Smith, and will assign my reasons (which are due to the public) for not having noticed it before, and for my doing it now, to wit: On the appearance of that letter, I determined to repel the slander it contained against me, and for that purpose procured statements from several of the officers now published, with others as above, as may be seen by their dates. But before I was fully prepared, the General was called off to the Seminole war, in which, and the consequences growing out of it, he was long engaged. Thus I thought it improper to open the subject in his absence: this state of things afforded time for the feelings which had by that letter been excited to be in some measure allayed: and on reflection concluded,

that as there were so many men in the country who knew the charge against me to be unfounded, it would die a natural death, and I be saved the painful necessity of entering into so disagreeable a contest. In this way has this matter rested, until during the late presidential contest, I not being friendly to the elevation of General Jackson to that office, in order (as I suppose) to lessen what little influence it might be thought I possessed, this story of mutiny, &c. has been revived in a more odious form, to wit: "That I wanted to run away from the Creek nation, but General Jackson would not let me." When it came to this, I determined to bear it no longer with impunity, therefore published the statement of facts, which appeared in the Banner of the twenty-second July, as before stated. In that publication I kept General Jackson as much out of view as the nature of my defence would in justice to myself admit. From that consideration I made no mention of his famous letter to Mr. Smith, nor should I now, but from the necessity imposed on me by a Volunteer as above: and for *the General*, he may make the best of it *he can*. I will now notice the only subject he has attempted to argue in favor of the General's violent attempt to deprive these men of their rights, to wit: that he, the General, believed, and acted under the influence of that belief, that the volunteers in question were bound by their engagement to serve one complete year out of two, or in other words, three hundred and sixty-five days. This argument is doing the General but little credit; for *candor*, if he knew the law which governed the service, and he is certainly chargeable with *negligence* if he did not. For, in the act of Congress of the sixth of February, eighteen hundred and twelve, regulating the service of this description of troops, there is no ambiguity. It requires only to be read to be understood. The second section reads as follows: "that any company, battalion, regiment, brigade or division, thus offering itself for the service, shall be liable to be called on to do military duty at any time the President of the United States shall judge proper, within two years after he shall have accepted the service, and shall be bound to continue in service for the term of twelve months, after they shall have arrived at the place of rendezvous, unless sooner discharged. Thus, it is evident, that General Jackson was either ignorant of the provisions of this law, or disregarded them altogether. In either case he is highly culpable, more especially as its misapplication worked an injury to others. Had the Volunteer examined this law, it might have saved him the labored effort to prove that the General's construction was correct. And as he has admitted, that it was in the misconstruction of this law by me, that the whole crime of mutiny consists, it is necessary to review the subject somewhat largely.

As stated in my publication referred to, those men were mustered into service on the tenth of December, eighteen hundred and twelve, for twelve months from that day, subject to the contingency only of being *sooner discharged*, which term would of course expire on the tenth of December, eighteen hundred and thirteen. The muster rolls were made out in this way, and so entered in all the company books, being the only written evidence of their being bound for service at all. Hence, there was no doubt, nor could there be any on the subject. In this way, and this only, did they enlist, and continued in service until Gen. Jackson received an order from the secretary of war as follows:

WAR DEPARTMENT, January 5, 1813.

SIR: The causes for embodying and marching to New-Orleans, the corps under your command, having ceased to exist, you will, on the receipt of this letter, consider it as dismissed from public service, and take measures to have delivered over to Maj. Gen. Wilkinson, all articles of public property which may have been put in its possession.

JOHN ARMSTRONG.

TO MAJ. GEN. ANDREW JACKSON, New-Orleans.

This letter was received about the fifteenth of March, eighteen hundred and thirteen, near Washington, Mississippi Territory; and on the twenty-second of the same month, General Jackson addressed the Secretary the following letter:

NEAR WASHINGTON, MISS. TER. March 22, 1813.

SIR: My letter of the fifteenth instant, informed you that I had received yours of the fifth of January, eighteen hundred and thirteen. I have now the honor to inform you that I received under cover from Maj. Gen. Wilkinson, of date March the eighth, your notification to him, without date, but post marked February eighth, eighteen hundred and thirteen, which runs as follows:

SIR: The militia force organized by Governor Blount, under command of General Jackson, expedited to New-Orleans early in last month, is discharged from further service. The General is required to have delivered over to your direction, such articles of public property as may have been committed to it.

JOHN ARMSTRONG.

Your notification to me, received as above, and having no militia force organized under my command, places me in a delicate situation. I have the honor to command an organized volunteer corps, enrolled and tendered to the President of the United States, under the act of February sixth, eighteen hundred and twelve, and whose services, with my own, were accepted and made known to me through Governor Blount, by the President, under date, War Department, July eleven, eighteen hun-

*down to a captain, have been commissioned by the President of the United States, on the twenty-first November, eighteen hundred and twelve, pursuant to his authority, under the act of Congress of July sixth, eighteen hundred and twelve; hence, the words of your notification to General Wilkinson, *organized militia*, cannot be applied to the detachment under my command. But from your communication to Governor Blount, Maj. Gen. Wilkinson, and your unofficial note to me of January fifth, eighteen hundred and thirteen, I *infer* that the wishes of the government *are*, that the detachment under my command is to be discharged. I have therefore ordered their return to Nashville, Tennessee, there being no direction for the payment of the troops, or their supplies on their return home by you directed. From a perusal of the law on the subject, I find I have been correct on the subject, and anticipated the intentions of the government, in ordering supplies of provisions and conveyance for the sick and their necessary baggage to *Nashville*, where they *will be discharged*. The law runs thus: "That whenever any officer or soldier shall be discharged from the service, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of his *discharge* to the place of his residence, computing at the rate of twenty miles per day. There being no direction to pay the troops here, no compensation directed to be given them in lieu of rations, I have ordered the contractor and quartermaster, as you have been advised in mine of the fifteenth instant, to furnish the necessary supplies for my detachment on their return to Nashville. I have been detained here since the eighteenth instant by the agents of government. But, in justice to Mr. Brandt, I would observe, that every exertion has been used on his part to expedite our departure. I have, however, been notified, that the necessary supplies will be ready by the twenty-fifth instant, when I shall take up the line of march for Nashville, at which point, or some other in the state of Tennessee, I hope they will be directed to be paid off, and the paymaster to be furnished with funds for that purpose. I have a hope (although not ordered to a theatre of action) that my detachment merits as much from government as the detached militia from this territory, who are ordered to be paid and discharged at Baton Rouge. Your note of January fifth, eighteen hundred and thirteen, directing two thousand well organized volunteers, under the acts of sixth February and July sixth, eighteen hundred and twelve, to be dismissed without pay or a compensation for rations. Is this your impartial rule? and this the reward to whom? Men of the first character, patriotism and

*dred and twelve, and all the officers under my command,

wealth of the union, who left their comfortable homes and families for the tented field, to support the eagles of their country at any point ordered by the constituted authorities.

ANDREW JACKSON.

I have given this letter (as published in the National Intelligencer of the fourteenth June, eighteen hundred and twenty-eight,) entire, in order that it may be seen that no doubt rested on the mind of General Jackson, that the government intended and had so ordered this detachment to be completely discharged; and that it had no further claims on its service, pursuant to its former tender. The Secretary of War says in his order to General Jackson, (in speaking of the detachment) "*you will, on the receipt of this letter, consider it as dismissed from public service.*" In that to General Wilkinson, "that the militia force organized by Governor Blount, under command of Gen. Jackson, expedited to New-Orleans early in the last month, is *discharged from further service.*" I know not what stronger terms the Secretary of War could have used to have satisfied these two officers that the government had no further use for, nor claims on the services of those men, pursuant to their engagements, and that from that engagement, they were completely and fully absolved: and that General Jackson did so understand it, is obvious from his letter to the Secretary of War as above, for in that letter he recognizes the idea fully and unequivocally, frequently using the word discharge, as applying to those men, and among others, that after a full view of the subject, (he continues,) "*I infer, that the wishes of the government are, that the detachment under my command should be discharged.*" And again, "I find I was correct, and anticipated the intentions of the government in ordering supplies of provisions and conveyance for the sick and their necessary baggage to Nashville, where they will be *discharged.*" And if further evidence to that point had been necessary, it was furnished by himself, on the day of discharge, by saying to Capt. Renshaw and Lieut. Thompson, that the discharge was good and valid. See their certificate as contained in my publication of July last. He speaks very properly of the hardship of turning loose this body of men at such a distance from their homes, without the means of support, &c. and brings to view the law providing for the comfortable return of such as are discharged at distant points from their places of residence, and analogizes those troops in this respect to regulars, showing clearly the uniform practice is, and always has been, that wherever a regular soldier may be, when the term for which he enlisted expires, he receives a discharge from the officer commandant, with allowance for his return home, and the only difference in this respect, between soldiers of the regular army

and the corps of volunteers in question is, that the *former* sign, at the time of enlistment, an article binding them to service for a given time; and the *latter*, (with their assent,) are mustered into service by companies collectively, and at the end of the service, mustered out in the same way, with the addition of a discharge to each individual; hence, it appears demonstratively, that Gen. Jackson did understand that it was the intention and wish of the government that these men were to be finally discharged; and to this end did he march them to Tennessee, then mustered them (in due form) out of service, and gave to each non-commissioned officer and private, a discharge in the following words and figures:

I certify, that A B enrolled himself as a volunteer, under the Acts of Congress of February the 6th and July 6th, 1812, and that he has served as such under my command on a tour to the Natchez country, from the 10th of December, 1812, to the 20th April, 1813, and is hereby discharged.

ANDREW JACKSON, *Maj. Gen.*

And that this opinion was not confined to General Jackson and the detachment he had commanded, is evident, from the fact that several of the officers, viz: Colonel Bradley, Doctor Hogg, Captain (now General) Gibbs, and Lieutenant Maury, as well as I now recollect, were all elected, the ensuing summer, members of the state legislature, took their seats, and served the whole term, except the former, who left his seat and joined the army, which marched soon after the meeting of that body, to which appointment they would not have been eligible, unless the troops they had commanded had been previously *discharged*. But the knowledge of this fact was so notorious, that no objection was made to their taking their seats. So that when the General issued his order in September following, for those men again to take the field against the Creek Indians, there was a disinclination on their part to obey, considering themselves as having been *discharged*, and fully absolved from their engagement with the government, alleging that it was exercising an undue authority over them. But through the influence of the officers, as explained in my former publication, the greater part was prevailed upon to rejoin the army. Yet there were many individuals, of individual companies, who persisted in their disobedience, besides two entire companies, viz: one which had, on the campaign to the lower country, been commanded by Captain Cannon, of Williamson county, the other by Captain Reynolds, of Maury, which were altogether delinquent, although the General had declared in his general order at Camp Blount, of the eighth October, eighteen hundred and thirteen, that he would punish every volunteer, who failed to appear, as a deserter. But this was not done in any one instance, and why? for the best of all reasons, because he knew he had not the legal power to coerce their

obedience, *they having been discharged.* And notwithstanding all the evidence to the contrary, the General in his letter to me on the subject, as before published, of the sixth of December, eighteen hundred and thirteen, says it was not a discharge, but a certificate of honorable service for a given time. His words are, "I marched my men to Columbia, where it was thought advisable to dismiss, not discharge your regiment, and surely it cannot be forgotten by any officer or soldier of that regiment, what a sacred pledge they all gave before they were dismissed, or had obtained my certificate, (which is now so strangely construed a discharge,) to obey the call of their government if it should resummon them into service; but for that pledge that certificate would never have been given. Neither can it be forgotten, I dare hope, for what purpose that certificate had been given. It was to entitle these brave men, who had accompanied me, to certain extra emoluments specified in the seventh section of the act under which they had engaged themselves, and which they were to enjoy, if not recalled into service, the balance of the term, by order of government." *Strange prevarication! infatuation!* How contradictory and foreign from the truth; for in his letter to me of the sixth December, he said he had never deceived these men, nor would he then deceive them. *Test this declaration by the facts,* for if the discharge he had given them was not valid, he had deceived them into the belief (as above shown) that it was so. On the other hand, he deceived them into the belief, that it was not a valid one, and that the time and pay went on from the time they received that discharge until recalled into service; and at last tried to deceive them into the belief, that they were bound to make up all this intermediate time. Yet, after all, he says he never deceived them, nor would he then deceive them. All these contradictions, he and his Volunteer may reconcile in the best way they can; as they may his reasoning in his letter to me about the certificate of service, &c. for every body in the least acquainted with military affairs knows that pledges are never asked of soldiers legally bound for service. The idea is preposterous, and shows the General's great deficiency in a knowledge of that ~~service~~ *science* on which his great fame is built. The fact is, there never was a pledge asked nor given. That as respects the extra emoluments spoken of, to secure which, this certificate should have been given, there were none due, which he well knew to be the fact, the men having previously received their extra pay in lieu of clothing, as well as a stand of arms, as provided for by the said seventh section of the Act of Congress as above.

I have been thus full on the subject of this discharge, because Gen. Jackson has denied ever having given it; and because a Volunteer has labored, at the expense of truth, to support him in

the denial; and because he has also charged me with entrenching myself behind the *position*, that if not discharged, the men were, during the time they were at home, in service as to time. If I ever did contend for this, it was on the authority of *General Jackson himself*, as is set forth in a statement of facts, contained in my publication of July last, and which is now well recollected by General Hall, that General Jackson did say in my presence, and that of General Hall and others, (after having received from the Secretary of War, an informal notification that the discharge was not complete) that in that case, the men were still in service, and entitled to pay for the whole time, all of which is fully explained in the aforementioned statement of facts. But the Volunteer in referring to those facts says, that I rely on the recollection of a few of my friends. I will tell *him*, that those are not only *my* friends, but friends to *truth*, whose veracity will not be called in question by any. The most of them are also warm friends to Gen. Jackson, and are no others than Gen. Hall, Col. Bradley, now dead, Col. Lauderdale, Col. Douglass, Maj. Alexander, Maj. Humphreys and Quartermaster Alexander. Now, if the testimony of these honorable men be not sufficient to establish any fact, it is useless to produce evidence in any case whatever. I will now remark, that the considerations above, led these men, or the most of them, to waive the right they had relied on of having been discharged, and to resume their station in the army, pursuant to the General's order of September, eighteen hundred and thirteen; but at the same time they contended, that they could not under any fair construction of law, be continued beyond the tenth of December, eighteen hundred and thirteen, which would complete twelve months from the time they had been mustered into service. This fact was all along known to the General, the correctness of which he had himself acknowledged to Capt. Caperton, Lieut. Doak, and a number of others, a little before the said tenth of December, eighteen hundred and thirteen. See the statement of Capt. Caperton and others in my publication referred to: to which publication I refer the reader for a more full exposition of the fact, that those men were by law entitled to be discharged on the said tenth of December, eighteen hundred and thirteen, the sophistical reasoning of a Volunteer to the contrary notwithstanding.

The apology I have for troubling the public with this lengthy narrative, is to ward off the infamy that Gen. Jackson and his Volunteer have endeavored to cast upon my character. To do this, it has become necessary to review the whole ground, by which it must appear (as I think) to every unprejudiced mind, that there was no foundation for the charge, with which he has assailed me, to rest upon, except in the imagination of the

General himself. He said the men should not be discharged on the tenth December, nor until they had completed one year's actual service, regardless of the time they were at home under a discharge by the proper authority. This produced great discontent among them, and they pressed it on me as their immediate commanding officer to bring their case before the General, and to urge their claims. This I thought it my duty to do, and this I did, as may be seen in our correspondence, contained in my late publication. This, and this only, was the consideration which led me to interfere in the matter at all; for there was no man there more willing and anxious to remain and prosecute the campaign than I was, could I have done it on principles of propriety and honor. But such had been the rude manner in which the General, without cause, had treated the whole brigade, that no man whose mind was not prepared for unconditional slavery, would have continued of choice on the terms he had proposed. See his order of the thirteenth of December, published by his biographer, and referred to by a Volunteer—his letter to me of the sixth December—his vulgar and degrading abuse of the whole brigade on the night of the ninth December, as set forth in that publication. Under this continued abuse from day to day, with all the opprobrious epithets calculated to insult the feelings and wound the pride of honorable men, calling them mutineers, deserters, cowards, &c. when they knew themselves innocent, and had never given the slightest evidence of either, no wonder they availed themselves of the first legal permission to leave the control of a man who had forfeited their confidence, and whose tenderest mercies were cruelties, and that these were high-minded honorable men, the General himself bears ample testimony. In his letter of the twenty-second March, eighteen hundred and thirteen, to the Secretary of War, when speaking of those identical men, he says "*men of the first character, patriotism and wealth in the Union, who left their comfortable homes and families for the tented field, to support the eagles of their country, at any point ordered by the constituted authorities.*" That the General and his biographer should have been so lost to a sense of what was due to others as thus to defame such men, not only without, but in the very face of evidence, is hard to account for. I am now done with this subject, and regret the necessity which has imposed on me its developement. And if the exposition of the foregoing truths should inflict a wound on another, it is no fault of mine. Let the blame rest where it ought. I have been driven to this course. To relieve my character from unmerited reproach, has been my sole object. How far I have succeeded is with the public to judge, and with them I leave the decision.

WILLIAM MARTIN.

Dixon's Springs, January 25, 1829.